

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**LINDA FAIRSTEIN,**

**Plaintiff,**

**-against-**

**NETFLIX, INC., AVA DUVERNAY, and  
ATTICA LOCKE,**

**Defendants.**

**Civil Action No. 1:20-cv-08042 (PKC)**

**DECLARATION OF KIMBERLY D. SWANSON IN SUPPORT OF CHEFFY  
PASSIDOMO, P.A.'S UNOPPOSED MOTION FOR LEAVE TO WITHDRAW  
AS COUNSEL FOR PLAINTIFF**

I, Kimberly D. Swanson, pursuant to 28 U.S.C. § 1746, as follows:

1. I am with the law firm of Cheffy Passidomo, P.A., counsel for Linda Fairstein.
2. I make this Declaration in Support of Cheffy Passidomo, P.A.'s Unopposed Motion to Withdraw as Counsel, pursuant to Local Rule 1.4 of the Rules of this Court.
3. I do not believe Linda Fairstein will suffer any prejudice from Cheffy Passidomo's withdrawal as counsel in the above-captioned matter.
4. Cheffy Passidomo, P.A. was retained as co-counsel for the originating action in the United States District Court for the Middle District of Florida Fort Myers Division. This action was then transferred to the United States District Court Southern District of New York. The law firm of Nesenoff & Miltenberg, LLP has been and will remain the lead counsel on this action and is licensed to practice law in the United States District Court Southern District of New York.

Andrew Miltenberg and Kara Gorycki of Nesenoff & Miltenberg, LLP will remain as counsel of record for Plaintiff.

5. I have informed Linda Fairstein that Cheffy Passidomo, P.A. intends to move to withdraw. Linda Fairstein has consented to the filing of this motion.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 6, 2020

CHEFFY PASSIDOMO, P.A.  
821 Fifth Avenue South  
Naples, FL 34102  
(239) 261-9300

/s/ Kimberly D. Swanson  
Kimberly D. Swanson  
Florida Bar No. 1018219  
[kdswanson@napleslaw.com](mailto:kdswanson@napleslaw.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on November 9, 2020, a true and correct copy of the foregoing was filed and served by CM/ECF on all counsel or parties of record on the service list.

NESENOFF & MILTENBERG, LLP  
Attorneys for Plaintiff,

By: /s/ Andrew T. Miltenberg  
Andrew T. Miltenberg, Esq. (AM7006)  
Kara Gorycki (KG3519)  
363 Seventh Avenue, Fifth Floor  
New York, New York 10001  
(212) 736-4500  
[amiltenberg@nmlplaw.com](mailto:amiltenberg@nmlplaw.com)  
[kgorycki@nmlplaw.com](mailto:kgorycki@nmlplaw.com)